



U.S. Department of Justice

*United States Attorney
Southern District of New York*

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 4, 2016

Via ECF and Facsimile
Honorable Richard M. Berman
United States District Court
Southern District Of New York
New York, NY 10007

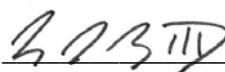
**Re: United States v. Evgeny Buryakov, a/k/a "Zhenya,"
15 Cr. 73 (RMB)**

Dear Judge Berman:

The Government writes to respectfully request, with the consent of defense counsel, a two-week adjournment of the filing deadline for the Government's response to the defendant's November 24, 2015 First Notice (the "First Notice") pursuant to Section 5 of the Classified Information Procedures Act, 18 U.S.C. App. 3 ("CIPA"). The adjournment is being requested to allow the relevant government agency to complete its ongoing evaluation of the classified materials referenced by defense counsel in the First Notice and in connection with a Rule 15 deposition of the defendant's wife, which may allow the parties to resolve these issues without further litigation. Specifically, after the defendant filed the First Notice, the Government began to work with the relevant government agency in an effort to determine whether it is able to declassify any of the materials from the broad categories set forth on pages six and seven of the First Notice. Although that process is expected to render moot at least some of the issues raised by the First Notice, additional time is required to complete it. Moreover, at the conference on December 21, 2015, defense counsel undertook to identify materials that they wished to use in connection with a deposition of the defendant's wife, some of which are classified and may require applications pursuant to CIPA and the Court's Protective Order. (*See* Dec. 21, 2015 Tr. at 14-15). Defense counsel has not yet done so. Thus, the requested adjournment would also provide additional time for counsel to take this step, and for the parties to determine whether any additional defense requests present issues that require further litigation.

Respectfully Submitted,

PREET BHARARA
United States Attorney

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(Via Email)